

EXECUTIVE SUMMARY
ARBORICULTURAL PROOF OF EVIDENCE
ON BEHALF OF THE SECRETARY OF STATE FOR HOUSING
COMMUNITIES AND LOCAL GOVERNMENT

Prepared by Dr Frank Hope

LOCAL PLANNING AUTHORITY REFERENCE: 19/00114/FULL

PLANNING INSPECTORATE REFERENCE: APP/XF990/V/19/3240661

1. **FORMAL DETAILS**

- 1.1 My name is Dr Frank Hope and I am independent arboricultural consultant. I hold a doctorate and master's degree in Biological Sciences, the National Diploma in arboriculture (the foremost practical British qualification in trees and their management) and numerous general horticultural qualifications, including the National Diploma in Horticulture.
- 1.2 I am a retired Fellow of the Arboricultural Association and a retired Fellow of the Institute of Groundsmanship, and previously acted for the Office of the Deputy Prime Minister as an Inspecting Officer on Tree Preservation Order Appeals.

2. **INTRODUCTION**

- 2.1 The current proposal is to construct the United Kingdom Holocaust Memorial and Learning Centre (UKHMLC) within the grassed area in the centre of Victoria Tower Gardens.
- 2.2 The scope of my Proof of Evidence addresses the two main arboricultural issues raised by Westminster City Council (WCC) (CD 5.11):
 - 2.2.1 is the information adequate to enable an assessment of whether the proposed development would be likely to lead to the loss of some of the London plane trees, and if so –
 - 2.2.2 whether the proposed development would be likely to lead to the loss of some of the London planes.
- 2.3. The PoE also includes the assessment of:
 - 2.3.1 the arboricultural issues of the proposed construction of the UKHMLC;
 - 2.3.2 WCC's reasons for refusal;
 - 2.3.3 the arboricultural reasons for objection to the project as identified in the report produced for WCC by David Archer Associates, dated March 2020
 - 2.3.4 the arboricultural reports dated 4th February 2019 and 18th May 2019 produced by Mr Jeremy Barrell, acting as an independent consultant, in support of the refusal for consent of the proposed development.

3. **SUMMARY**

- 3.1 The London planes along the eastern and western sides of Victoria Tower Gardens form large, healthy, groups of mature specimens with a high visual amenity to the Conservation Area. They are an important feature and should be retained on the site. The current proposal has been designed to retain all of the planes.
- 3.2 Adequate information has been provided to carry out a meaningful assessment of the proposed development.
- 3.3 The claim of inadequacy and misleading information has arisen by the misinterpretation of the data by the Head of Arboricultural Services.

- 3.4 Adequate information has been provided to enable an assessment of whether the proposed development would be likely to lead to the loss of some of the London plane trees.
- 3.5 The proposed development will not lead to the loss of any of the London planes.
- 3.6 British Standard 5837 (CD 4.16) has been utilised to provide guidance on the tree-related aspects of the development.
- 3.7 One of the main sections of BS 5837 is the provision of a theoretical calculation, providing what is known as the Root Protection Area (RPA). This provides an "estimate" of the area of expected root spread of trees, and is typically used at the commencement of the design phase, when no site-specific investigation data are available.
- 3.8 The RPAs are based on the trunk diameters of trees, and are typically used for individual specimens. They are two-dimensional, and cannot be used to confirm the depth and suitability of available soil; nor can they identify the density of rooting.
- 3.9 RPA calculations are used as an aid during the development process. The Local Planning Authority has incorrectly implied that the theoretical figures are precise, and allow for no degree of error or flexibility; which I consider to be untenable.
- 3.10 Extensive site investigations have been carried out using the most up-to-date techniques, in order to identify the extent of the tree root systems. These were carried out by professional organisations, one of which holds the Royal Warrant.
- 3.11 The Local Planning Authority has relied solely on the use of theoretical RPA calculations, and has ignored the wealth of site investigations which is both unreasonable and illogical.
- 3.12 The Local Planning Authority has questioned the RPA figures provided by the developers, and have re-calculated them. The recalculated two-dimensional figures expand the theoretical root spreads of the trees on the western side of Victoria Tower Gardens; ignoring the site investigations.
- 3.13 The arboricultural expert for the Local Planning Authority has stated that the use of site investigations is not within the parameters of BS 5837, which is clearly at odds with normal arboricultural practice.
- 3.14 The arboricultural expert for the Local Planning Authority has failed to meaningfully address issues on the growth of roots beneath the pavement and carriageways.
- 3.15 The comments of the Head of Arboricultural Services on the planning application are simplistic, and misguided. They are at odds with her previous accepted practices. Evidence has been made available confirming her sanctioning of extensive excavations within theoretical RPAs, with scant regard to the health of tree roots, which is at odds with her current position.
- 3.16 The Head of Arboricultural Services has made claims in relation to the depth of rooting of the planes, which have not been substantiated by the Local Planning Authority arboricultural expert.
- 3.17 Minimal pruning of the trees will be required, which will not harm the trees.

- 3.18 Appropriate mitigation procedures have been identified to minimise the influence of the construction works on the trees.
- 3.19 Appropriate physical protections complying with the recommendations of BS 5837 have been incorporated within the scheme.
- 3.20 There is no available evidence to confirm that if the proposed development goes ahead the plane trees will be harmed in any way, i.e. which would have consequences for their continued health and longevity.
- 3.21 There are no arboricultural reasons why the proposed development should not go ahead.